

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 MARLANA BILYEU,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of  
13 Social Security,

14 Defendant.

Case No. C11-1894-JLR-BAT

**REPORT AND  
RECOMMENDATION**

15 Marlane Bilyeu seeks review of the denial of her Supplemental Security Income and  
16 Disability Insurance Benefits applications. Dkt.5. The parties stipulate the case should be  
17 reversed and remanded for further administrative proceedings pursuant to sentence four of 42  
18 U.S.C. § 405(g). Dkt. 20.

19 The Court has considered the parties' stipulation and the record, and recommends the  
20 case be **REVERSED** and **REMANDED** under sentence four of 42 U.S.C. § 405(g), for further  
21 administrative proceedings. On remand, the Administrative Law Judge will:

- 22 (1) Reevaluate the medical evidence as a whole;  
23 (2) Reevaluate plaintiff's subjective testimony and will reevaluate plaintiff's residual  
functional capacity;

1 (3) Reevalue plaintiff's ability to perform her past relevant work. If necessary, the  
2 ALJ will conduct a step five analysis; and

3 (4) Obtain the assistance of a vocational expert, and present a complete hypothetical  
4 to the vocational expert and ensure consistency with the Dictionary of  
5 Occupational Titles.

6 Upon proper presentation, the Court will consider plaintiff's application for attorney fees  
7 under the Equal Access to Justice Act and 406(b), if appropriate.

8 Because the parties have stipulated that the case be remanded as set forth above, the Court  
9 recommends that United States District Judge James L. Robart immediately approve this Report  
10 and Recommendation and order the case **REVERSED** and **REMANDED** for further  
11 administrative proceedings. A proposed order accompanies this Report and Recommendation.

12 DATED this 26th day of April, 2012.

13  
14 

15 BRIAN A. TSUCHIDA  
16 United States Magistrate Judge  
17  
18  
19  
20  
21  
22  
23